

REMARKS**Summary of the Office Action**

Claims 1, 2, 4-7, 9 and 14-15 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite.

Claims 14-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Yamada et al. (U.S. Patent No. 6,623,113) (hereinafter "Yamada '113").

Claims 1-7, 9-12 and 14-17 stand rejected under 103(a) as being unpatentable over Kijama et al. (JP 409272207) (hereinafter "Kijama") in view of Yamada et al. (U.S. Patent No. 6,796,632) (hereinafter "Yamada '632").

Summary of the Response to the Office Action

Applicants have amended claims 1, 2, 4, 5 and 9 to improve their form. Accordingly, claims 1-17 are currently pending for consideration. A verified translation of the instant application's Japanese Priority Document is concurrently submitted herewith.

Rejections under 35 U.S.C. § 112, Second Paragraph

Claims 1, 2, 4-7, 9 and 14-15 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Applicants have amended claims 1, 2, 4, 5 and 9 to improve their form in response to the Examiner's comments at page 2 of the Office Action in this regard.

For example, with regard to the Examiner's inquiry regarding claim 1, the "voltage" and "raw material liquid" described at line 7 of claim 1 can be additional to the previously-claimed

“voltage” and “raw material liquid” at line 2 of claim 1. In other words, Applicants respectfully submit that one voltage is applied to a first raw material in a selected nozzle in the first step and a voltage is applied to a second raw material in the other nozzle. The second raw material is not the first raw material. Accordingly, claim 1 has been newly-amended in this regard. With regard to the Examiner’s comments regarding claims 14 and 15 at page 2 of the Office Action, Applicants respectfully submit that claims 14 and 15 are supported, for example, by the disclosure at paragraphs [0056] to [0059] in the specification, and also in Figs. 4A to 4H, for example, of the instant application. Applicants respectfully submit that droplet (L) is formed by applying voltage between the dilution nozzle (8) or ink nozzle (9c) and flat electrode (3) arranged below the sheet (4). As a result, Applicants respectfully submit that no amendments to claims 14 and 15 are necessary in this regard.

Accordingly, Applicants respectfully submit that the claims, including those that are newly-amended, fully comply with 35 U.S.C. § 112, second paragraph. As a result, Applicants respectfully request that the rejections under 35 U.S.C. § 112, second paragraph be withdrawn.

Rejections under 35 U.S.C. §§ 102(e) and 103(a)

Claims 14-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Yamada ‘113. Claims 1-7, 9-12 and 14-17 stand rejected under 103(a) as being unpatentable over Kijama in view of Yamada ‘632. However, Applicants respectfully submit that Yamada ‘113 and Yamada ‘632 should not be considered as prior art in the present application under any subsection of 35 U.S.C. § 102 for at least the following reasons.

A Claim for Priority and Certified Copy of Japanese Patent Application No. 2002-287267, which was filed in Japan on September 30, 2002, have been filed in connection with this application. Acknowledgement of this Claim for Priority and also of receipt of the Certified Copy was made by the Examiner at item 12 of page 1 (PTOL-326) of the Office Action dated January 23, 2007.

Pursuant to 37 C.F.R. § 1.55(a), Applicants submit concurrently herewith a verified translation of Japanese Patent Application No. 2002-287267, which was filed in Japan on September 30, 2002.

The U.S. filing date of Yamada '113 is November 1, 2002 which is after the above-noted priority date of September 30, 2002 to which this application is entitled. Accordingly, Applicants respectfully submit that Yamada '113 should not be considered as prior art in the present application under any subsection of 35 U.S.C. § 102.

Accordingly, withdrawal of the rejections of claims 14-16 under 35 U.S.C. § 102(e) applying Yamada '113 is respectfully requested for at least the foregoing reasons.

Yamada '632 does not have a 35 U.S.C. § 102(e) date because the WIPO publication (WO02/083425) of its associated PCT International Application NO. PCT/JP02/03396 did not publish in the English language. Instead, this WIPO publication was published in the Japanese language, as indicated on its cover sheet, a copy of which is attached hereto for the Examiner's convenience. The publication date of WIPO publication (WO02/083425) is October 24, 2002, which is after the above-noted priority date of September 30, 2002 to which this application is entitled. Accordingly, Applicants respectfully submit that Yamada '632 also should not be considered as prior art in the present application under any subsection of 35 U.S.C. § 102. To

the extent that any of Applicants' understandings are incorrect in these regards, clarification is respectfully requested in the next Office Communication.

Accordingly, withdrawal of the rejections of claims 1-7, 9-12 and 14-17 under 35 U.S.C. § 103(a) applying Yamada '632 is respectfully requested for at least the foregoing reasons.

The Examiner did not list the applied Yamada '632 reference on the PTO-892 form that was attached to the Office Action dated October 2, 2007. As a result, the Examiner is respectfully requested to list Yamada '632 (U.S. Patent No. 6,796,632) on a PTO-892 form as an attachment to the next Office Communication to issue in this application.

CONCLUSION

In view of the foregoing discussion, Applicants respectfully request the entry of the amendments to place the application in clear condition for allowance or, in the alternative, in better form for appeal. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

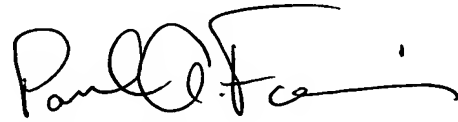
This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Search result: 1 of 1

(WO/2002/083425) AUXILIARY JETTING DEVICE AND INK JET RECORDING DEVICE PROVIDED WITH AUXILIARY JETTING DEVICE

Biblio. Data	Description	Claims	National Phase	Notices	Documents
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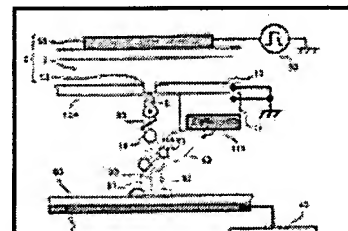
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Priority Data: 2001-108076 06.04.2001 JP

Title: AUXILIARY JETTING DEVICE AND INK JET RECORDING DEVICE PROVIDED WITH AUXILIARY JETTING DEVICE

Abstract: An orifice electrode/ink receiver (11) is provided on an orifice plate (13) mounted on a record head module (10), and an ink receiving ink absorber (111) is embedded in the bottom surface of the orifice electrode/ink receiver (11). Recording ink particles (14) jetted from a nozzle hole (12) are arbitrarily deflected by a gradient electric field (85) to hit a recording sheet (60) and form recording dots (70). On the other hand, auxiliary jetting ink particles (15) are deflected by the gradient electric field (85) to be sent flying in U-turn and hit the ink absorber (111) of the ink



receiver (11). Since the above arrangement allows the ink absorber (111) on the orifice electrode/ink receiver (11) to recover ink, the ink absorber (111) can be installed without significantly widening the gap between the record head module (10) and the recording sheet (60) to prevent lowering in recording accuracy and jamming of sheets and enable auxiliary jetting in a required amount at a required time without interrupting a recording operation.

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